

ATTORNEY'S GUIDE TO FILING A NEW CASE

Online case opening will allow for cases to be filed 24 hours a day, 7 days a week and will eliminate the delay caused by faxing or emailing a coversheet to the Clerk's Office.

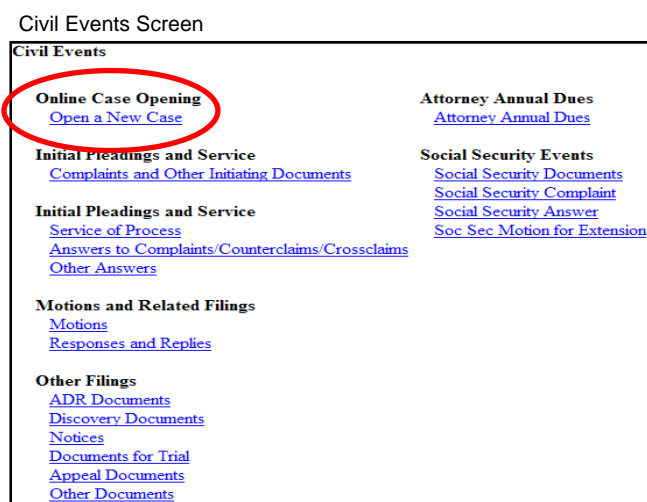
This guide describes the procedures for opening a new case using the CM/ECF system.

A CM/ECF login and password are required to complete online case opening. If you do not have a CM/ECF login and password, please contact the CM/ECF Help Line at 1-800-466-9302 for instructions on how to file your complaint.

1. Select **Civil** from the blue menu bar at the top of the ECF screen.



2. Select **Open New Case** under **Online Case Opening** on the Civil Events screen.



3. The following screen includes important information regarding opening a new case in CM/ECF. Please review the information carefully.

Open a Civil Case
ATTENTION: If this is your first time electronically filing a new civil case, we strongly recommend you view the [CASE OPENING MODULE](#).

Qui Tam (false claims) cases and Applications for Stay of Execution are not to be opened online. Please contact the Clerk's Office at 816-512-5000 to file these cases.

If you are filing a Motion to Vacate (2255 Motion), please contact the CM/ECF Help Line at 1-800-466-9302 for additional instructions.

NOTICE: The Clerk's Office reserves the right to correct any information which is entered incorrectly during online case opening.

4. The next screen is the initial case opening screen. The selection of the office and case type provide the system with the information it needs to assign a case number and judge. You will receive a case number after the case has been created. A judge will be assigned to the case and will appear on the Notice of Electronic Filing after the initiating document has been filed. Following is a description of each of the fields in the case opening screen.

Initial Case Opening Screen

Open a Civil Case

Office Jefferson City Case type cv Case number

Date filed 9/22/2009

Lead case number

Association type consolidated

Other court name

Other court number

☐ Related cases

Next Clear

Office

[Local Rule 3.2](#) addresses divisional venue. Divisional venue is determined first by the county in which the defendant resides, or if the defendant resides outside the Western District of Missouri, the county where the plaintiff resides or where the claim for relief arose. Local Rule 3.2 also addresses the issue of multiple defendants and non-resident defendants.

Cases removed from a County Circuit Court to the District Court are assigned to the District Court Division in which the County Court lies. The selection of the incorrect office will result in an Administrative Transfer by the Clerk's Office and a redraw of judge from the appropriate deck.

Please see below for information on a listing of counties included in each division.

Jefferson City (Central Division)		Joplin (Southwestern Division)	Kansas City (Western Division)	St. Joseph (St. Joseph Division)		Springfield (Southern Division)	
Benton	Miller	Barry	Bates	Andrew	Holt	Cedar	Pulaski
Boone	Moniteau	Barton	Carroll	Atchison	Livingston	Christian	Taney
Callaway	Morgan	Jasper	Clay	Buchanan	Mercer	Dade	Texas
Camden	Osage	Lawrence	Henry	Caldwell	Nodaway	Dallas	Webster
Cole	Pettis	McDonald	Jackson	Clinton	Platte	Douglas	Wright
Cooper		Newton	Johnson	Daviess	Putnam	Greene	
Hickory		Stone	Lafayette	DeKalb	Sullivan	Howell	
Howard			Ray	Gentry	Worth	Laclede	
Miller			St. Clair	Grundy		Oregon	
			Saline	Harrison		Polk	

Case Type

Only civil and miscellaneous cases can be opened by attorneys. Select “cv” for a civil case or “mc” for a miscellaneous case.

The following initiating documents are to receive a civil “cv” case number:

- Complaint
- Notice of Removal
- Petition for Writ of Habeas Corpus

The following initiating documents are to receive a miscellaneous “mc” case number:

- Application to Enter Premises
- Federal Lien Against Property Filed by Government Agency
- Letters Rogatory
- Motion for Protective Order
- Motion for Return of Seized Property
- Motion to Enforce IRS Summons
- Motion to Quash IRS Summons
- Motion to Enforce Subpoena
- Motion to Perpetuate Testimony
- Motion to Quash Subpoena
- Motion to Vacate Arbitration Award
- Motion to Withdraw Reference to Bankruptcy Court
- Notification of Appointment of Receiver
- Registration of Foreign Judgment
- Request for Subpoena to Identify Infringer

Lead Case Number and Association Type

The Lead case number and Association type fields are not used in the Western District of Missouri so it is not necessary to enter additional information in these boxes.

Other Court Name and Other Court Number

If you are filing a notice of removal, enter the name of the other court, i.e., Circuit Court of Jackson County, Missouri, in the Other court name field.

Enter the county’s case number in the Other court number field.

Related Case

If the case you are filing relates to another case in the Western District of Missouri, check the Related Cases box. A new screen will open which allows you to add the related case information.

Related Case Entry Screen

Open a Civil Case

Related case number

Relation type

☐ **More related cases**

Enter the related case number in the text box. Entering related case information creates a hyperlink to that case from the docket sheet.

If there is more than one related case, after entering the first case number check the More related cases box.

When all related cases have been entered, click the Next button.

5. The Case Information Screen can be completed from the information supplied on the Civil Cover Sheet. Please remember that it is still necessary to attach the civil cover sheet in .pdf format when filing the case initiating document.

Please be aware that the selections you make on the Case Information Screen are very important. An error will displayed if information is not entered correctly. To continue opening the case, the errors must be corrected.

Case Information Screen

Open a Civil Case

Jurisdiction

Cause of action **Filter:**

Nature of suit **Filter:**

Origin

Citizenship plaintiff

Citizenship defendant

Jury demand **Class action** **Demand (\$000)**

Arbitration code **County**

Fee status **Fee date** **Date transfer**

Jurisdiction

Jurisdiction defaults to Federal Question. The drop down list displays additional options for jurisdiction, including Diversity, U.S. Government Plaintiff and U.S. Government Defendant.

Cause of Action

The statutes, also referred to as causes of action, are listed in numerical order. To select the cause of action, users can click the drop down list and scroll down to find the appropriate statute.

An alternate way of finding the cause of action is to enter the full or partial statute in the Filter field. CM/EFC will narrow down the drop down list to just the items that match the string entered.

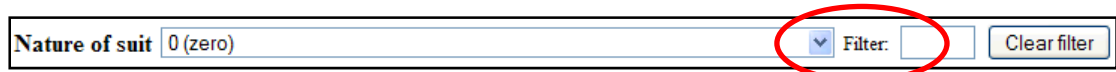


Cause of action ▼ Filter:

Nature of Suit

The natures of suit are listed in numerical order. To select the nature of suit, users can click the drop down list and scroll down to find the appropriate entry.

An alternate way to find the nature of suit is to enter the full or partial nature of suit in the Filter field to further narrow down the drop down list to just the items that match the string entered.



Nature of suit 0 (zero) ▼ Filter:

Origin

A complaint originating in the Federal Court is always 1 (Original Proceeding). A notice of removal is always 2 (Removal from State Court). Use the drop down box to select the appropriate origin.

Citizenship

The Citizenship fields only need to be filled out for diversity cases. If you are filing a diversity case, select the appropriate citizenship statement for the parties. Note: Diversity must be selected on the Jurisdiction field if you are completing the citizenship fields.

Jury Demand

Jury demand should only be requested if there is a jury demand contained within the case initiating document you are filing. The jury demand can be made by the plaintiff when filing a complaint or the defendant when filing a notice of removal. N (none) should be selected if the document filed does not state a jury demand.

Class Action

If you are alleging a class action, click the drop down box and select "y". To request class certification, you must file a motion once your case has been opened.

Demand

If a monetary demand is requested in the complaint, enter the amount to the nearest thousand. For example, if you are requesting \$1,500,000 enter 1500, without a dollar sign, comma or decimal.

Arbitration

The Arbitration code field is not used in the Western District of Missouri and is left blank.

County

Click the County drop down list to display a list of all counties in the Western District of Missouri. The county selected should be the county which determined divisional jurisdiction.

Fee Status

Unless you are a U.S. governmental agency or you are filing in forma pauperis, the fee status should be set to p (paid). If a motion to proceed in forma pauperis is being filed, ifp (in forma pauperis) should be selected. Attorneys for the United States or agencies of the United States government should select the fee status waived.

Fee Date

The fee date will automatically default to the current date. Please do not change or remove the date.

Date Transfer

The Date transfer field remains blank.

When finished entering the all of the information on the Case Information Screen, click Next to continue.

- Perhaps the most critical piece of Online Case Opening is the entry of party names. It is important that this be done correctly since it impacts not only your case, but the general records for the court. The [Party Entry Guide](#) is available on our website to assist you in adding parties. We suggest you print it for future reference.

The attorney search screen is divided into two panels. The left panel contains controls to Add New Party and Create Case. The search fields in the right panel allow users to search the CM/ECF database for parties.

Attorney Search Screen

Open a Civil Case			
<input type="button" value="Add New Party"/>		<input type="button" value="Create Case"/>	
Collapse All		Expand All	
		Search for a party	
		Last / Business Name <input type="text"/>	First Name <input type="text"/> Middle Name <input type="text"/>
		<input type="button" value="Search"/>	

Searching for a Party

BEFORE ENTERING ANY PARTY NAME, do a search of the current list of names in the CM/ECF database by entering at least three letters of the party's last name in the last name field that's presented. If your party is a corporation, enter the first three letters of the corporate name. The [Party Entry Guide](#) includes search hints to help you search the CM/ECF database for parties.

If the system finds a match, CM/ECF will display a list of party names. Be SURE to scroll down through the list offered on the screen. If you find something similar, check your own spelling or configuration to determine which is preferable.

Search Results

Open a Civil Case

[Add New Party](#) [Create Case](#)

[Collapse All](#) [Expand All](#)

Search for a party

Last / Business Name First Name Middle Name

Search Results

- Hard, Phillip
- Hardware Technologies, Inc.
- Harle, Denise
- Harle, Jerry E.
- Harmon
- Harold, Stanley

If the name of the party you represent appears in the list, select it and then click Select Party.

Creating a New Party

If you do not find a match AFTER performing a search, click Create New Party to enter the party as a new entry into the database.

ECF will display the Party Information screen to collect information on the new party.

Party Information Screen

Open a Civil Case

[Add New Party](#) [Create Case](#)

[Collapse All](#) [Expand All](#)

Party Information

Last name First name

Middle name Generation

Title

Role

Pro se

Prisoner Id Unit

Office

Address1

Address2

Address3

City

State Zip Country

Prison

Phone Fax

E-mail

Party text

Start date End date

Corporation Notice

While there are many data entry boxes on this screen, only limited fields are completed:

Last name;
First name;
Middle name (If Applicable);
Generation (If Applicable);
Role; and
Party text (If Applicable)

Do not enter any additional information for new parties.

Party Name

For businesses, the company name is entered in the Last name field. For individuals, the Last name, First name and Middle name fields are used. The Generation field is also completed if applicable.

Role

The Role type defaults to defendant. Select the correct party role from the drop down list.

Party Text

This field is OPTIONAL and allows you to add descriptive information about the party. Examples of party text are: A Missouri Corporation, Individually and in the Official Capacity, etc.

When all required information is entered, click the Add Party button.

7. As the parties are added, you will see them appear in the left panel. The information in the left panel is referred to as the Case Participant Tree.

Case Participant Tree

Open a Civil Case

Add New Party Create Case

Search for a party

Last / Business Name First Name Middle Name

Search

Collapse All Expand All

Tom Parker pla

Alias

Corporate Parent or other affiliate

Attorney

Burger Queen dft




Alias

Corporate Parent or other affiliate

Attorney

The following chart provides you with a description of the icons and hyperlinks you see in the left panel of the Case Participant Tree.

Case Participant Tree Icons

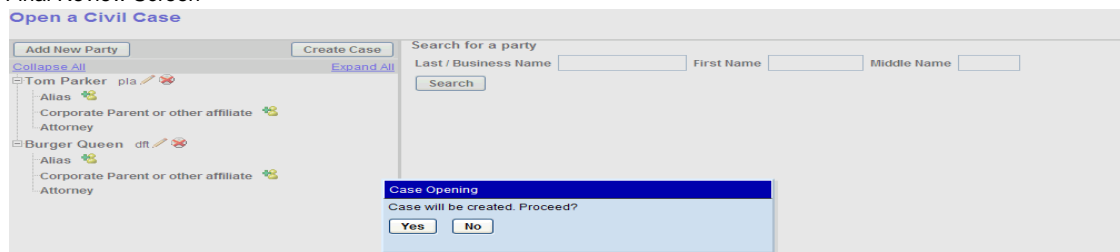
Icon	Description
	Delete this party from the case.
	Add new alias or corporate parent.
	Edit the party, alias or corporate parent.

The Expand all hyperlink displays all parties, including aliases, corporate parents and attorneys. The Collapse all hyperlink displays only the parties in the case, with all other information collapsed in the tree.

Each branch of the case participant tree can be expanded or collapsed individually by clicking on the + and – icons.

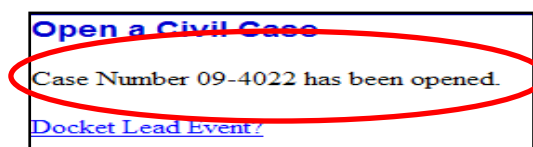
8. If the party tree is not expanded, you should expand it to make sure you have all parties and aliases added. If necessary, click the appropriate icon in the Case Participant Tree to add or correct information. When all parties have been added and appear correctly in the Case Participant Tree, click Create Case.
9. CM/ECF gives you one last opportunity to make changes to case opening information.

Final Review Screen



Clicking No will allow you to add, delete or modify parties. If all of the information is correct, click Yes to create the case.

10. The case is now open in CM/ECF and a case number has been assigned. Please make a note of the case number for future reference.



Click Docket Lead Event to docket your complaint, notice of removal or miscellaneous case initiating document.

If you are filing a Motion to Proceed In Forma Pauperis, do not click on Docket Lead Event. Click Civil on the blue menu bar. Under the category Motions and Related Filings, click Motion and select the event Proceed In Forma Pauperis.

You must file your case initiating document immediately after the case has been opened.

11. When the complaint, notice of removal or miscellaneous case initiating document is filed, a judge is randomly assigned and will be displayed on the Notice of Electronic Filing. Please make a note of the judge assignment for future reference.

Notice of Electronic Filing with Judge Assignment

<p>Complaints and Other Initiating Documents 4:09-cv-00063 Parker v. Burger Queen</p> <p style="text-align: center;">U.S. District Court United States District Court for the Western District of Missouri - Test Area</p> <p>Notice of Electronic Filing</p> <p>The following transaction was entered by Smith, Robert on 9/24/2009 at 11:29 AM CDT and filed on 9/24/2009</p> <p>Case Name: Parker v. Burger Queen Case Number: 4:09-cv-00063-HFS Filer: Tom Parker Document Number: 1 Judge Assigned: Howard F. Sachs (presiding)</p> <p>Docket Text: COMPLAINT against Burger Queen filed by Robert Smith on behalf of Tom Parker. Filing fee \$350, receipt number 454253. Service due by 1/25/2010. (Attachments: # (1) Civil Cover Sheet)(Smith, Robert)</p> <p>4:09-cv-00063-HFS Notice has been electronically mailed to: Robert Smith rsmith1234@yahoo.com</p> <p>4:09-cv-00063-HFS It is the filer's responsibility for noticing the following parties by other means:</p> <p>The following document(s) are associated with this transaction:</p>
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Once you file the case initiating document and receive the Notice of Electronic Filing, your case is considered opened. The Clerk's Office will review all information entered during Online Case Opening and, if needed, make any corrections.

If you require assistance during Online Case Opening or other filing matters, please contact our CM/ECF Help Line at 1-800-466-9302.